

REMARKS

Claims 1 - 3 and 6 - 16 are presently pending in the application. Claims 1-12 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Leslie et al (U.S. Patent 6,404,775, hereinafter “Leslie”) in view of Tanaka et al (U.S. Patent 6,263,061, hereinafter “Tanaka”) and further in view of Monica et al (U.S. Patent 5,459, 761, hereinafter “Monica”). Claims 13, 15 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Leslie in view of Tanaka, and further in view of Monica and “Official Notice.”

Claims 1 - 12 and 14

With regard to the obviousness rejection of claim 1 over Leslie in view of Tanaka, and further in view of Monica, Applicant maintains that any conceivable combination of Leslie, Tanaka and Monica does not disclose each element of claim 1.

For example, claim 1 recites “the downstream system or the converter module further comprising a plurality of modules for identifying public mobile telephone network users.” For linguistic convenience only, this element will be referred to as the Identifying Public Mobile Telephone Network Users feature. The Examiner contends that Leslie teaches the Identifying Public Mobile Telephone Network Users feature and specifically cites column 15, lines 41-45 and column 24, lines 55-58 of Leslie as disclosure of the feature. Office Action, paragraph bridging pages 2 and 3.

Leslie teaches a repeater which allows terminals of a first communications system, which may be a TDMA cellular system, to communicate with terminals of a second communications system, which may be a PCS system. The repeater is located in an area in which it is desired to provide service to the PCS system, and in which the repeater may communicate with a cellular

base station in the TDMA cellular system. Column 8, lines 40-43. From the perspective of the TDMA cellular base station, the repeater appears as a TDMA mobile. From the perspective of the PCS mobiles, the repeater appears as a PCS base station. Column 8, lines 55-56 and 63-65. The registration database, receiving mobile registration messages, transmits pages destined only for mobiles that can be serviced by the repeater. Column 24, lines 30-33 and lines 42-46.

The Examiner relies on the following specific excerpts of Leslie as disclosure of the Identifying Public Mobile Telephone Network Users feature. The excerpt in column 15, lines 41-45 of Leslie states that the Leslie system includes a protocol-converting repeater adapted for bi-directional communications with terminals of first and second systems. The Examiner contends that the converting repeater reads on Applicant's converter module. The excerpt in column 24, lines 55-58 teaches that an interface for use with the repeater allows a remote user to send information to, or receive information from, control components of the repeater. The Examiner contends that in order to allow a remote user to send information to or receive information from, Leslie inherently teaches the Identifying Public Mobile Telephone Network Users feature.

Applicant submits that the Examiner's contention that Leslie inherently teaches the Identifying Public Mobile Telephone Network Users feature is unsupported. As explained above, the repeater in Leslie merely functions as a mobile in one communications system and as a base station in another communications system to facilitate the communications between the terminals of both communications systems. Neither a mobile nor a base station inherently identifies public mobile telephone network users. In Leslie, the repeater only receives pages from the registration database when the mobile dialed is registered in the registration database.

Then, the repeater could transmit to and receive from such mobiles. A repeater transmitting to and receiving from such mobiles merely establishes a communication between the repeater and the dialed mobile. Such repeater does not inherently teach or suggest a converter module identifying the public mobile telephone network users at least because the repeater does not identify the user in order to establish the communication with the mobiles. Therefore, in contrary to the Examiner's contention, the repeater in Leslie does not inherently teaches the Identifying Public Mobile Telephone Network Users feature.

In addition, the Identifying Public Mobile Telephone Network Users feature includes the recitation of a plurality of modules for identifying public mobile telephone network users. The repeater in Leslie, which allegedly teaches the Identifying Public Mobile Telephone Network Users feature, does not disclose or suggest a plurality of modules for identifying public mobile telephone network users. Therefore, Leslie fails to teach the Identifying Public Mobile Telephone Network Users feature for this additional reason.

Claim 1, as amended, further recites that "the converter module further comprising means for choosing one or more modules for identifying public mobile telephone network users in accordance with a criterion related to a contract of the user." For linguistic convenience only, this element will be referred to as the Choosing Modules feature.

The Examiner recites column 6, lines 39-56 of Leslie as disclosure of the Choosing Modules feature. Office Action, page 3, second full paragraph. The Examiner contends that "the first and second communication system are selected" and it reads on Applicant's "choosing". For the Examiner's convenience, the excerpt in column 6, lines 39-56 of Leslie is reproduced as follows, with the sentence partially used by the Examiner underlined:

FIG. 1 is a simplified block diagram showing a repeater constructed according to a first embodiment of the present invention as it might be applied to allow communications terminals of a first communications system with terminals of a second, dissimilar communications system, in which the first and second communications systems are selected for exemplary purposes to be a conventional 800 MHz TDMA cellular system and a 1.9 GHz TDMA PCS system;
FIG. 2 is a simplified block diagram showing a repeater constructed according to a second embodiment of the present invention as it might be applied to allow communications terminals of a first communications system with terminals of a second, dissimilar communications system, in which the first and second communications systems are selected for exemplary purposes to be a conventional 800 MHz TDMA cellular system and a 1.9 GHz GSM PCS system;

The Examiner has taken the above underlined sentence out of the context by inappropriately omitting part of the sentence. The underlined sentence states that the first and second communications systems are selected for exemplary purposes to be certain types of communications systems. The Examiner appears to either misunderstand or intentionally misconstrue the sentence as selecting the first and second communication system, and contends that the selecting reads on “choosing” in claim 1. Applicant submits that the Examiner is mistaken about the meaning the above underlined sentence, which does not remotely teach or suggest “choosing one or more modules for identifying public mobile telephone network users,” as recited in claim 1.

Furthermore, since Leslie does not teach or suggest the Identifying Public Mobile Telephone Network Users feature which describes a plurality of modules for identifying public telephone network users, Leslie could not possibly teach or suggest “choosing one or more modules for identifying public mobile telephone network users.”

With further regard to the Choosing Modules feature, which was previously included in the cancelled claim 4, the Examiner suggests that the excerpt in column 28, lines 1-17 of Leslie teaches or suggests the feature. Office Action, page 8, second paragraph.

The excerpt in column 28, lines 1-17 of Leslie describes the processing of an incoming call destined for a mobile in the repeater's coverage area according to Fig. 7. For a mobile that is in the repeater's coverage area, the repeater connects the donor cellular base station to such mobile. Since the repeater only receives pages from the registration database when the mobile is registered in such database, the repeater transmits signals to a mobile without having any contract information on the user. Therefore the teaching on the repeater making a connection to the mobile does not teach or suggest a converter module comprising means for choosing one or more modules for identifying public mobile telephone network users in accordance with a criterion related to a contract of the user, as described in claim 1.

Claim 1 is patentable over the applied art at least because Leslie has above deficiencies and because Tanaka and Monica, taken in any conceivable combination with Leslie, as a whole, fail to remedy the deficiencies of Leslie.

Claims 4 and 5 were cancelled without prejudice or disclaimer in the May 9, 2006 Request for Continued Examination. Therefore, the obviousness rejection of claims 4 and 5 is moot.

Claims 2-3, 6-12 and 14 are patentable at least because of their dependency from claim 1.

Claims 13, 15 and 16

With regard to the obviousness rejection of claims 13, 15 and 16 over Leslie in view of Tanaka, and further in view of Monica and "Official Notice," the Examiner is correct in

conceding that the combination Leslie, Tanaka and Monica does not disclose the recited features of each of claims 13, 15 and 16. However, the Examiner attempts to take "Official Notice" that such features as recited are well known in the art. Applicant would request that appropriate references be supplied to support the rejection because there is no evidence supporting that the recited features of claims 13, 15 and 16 are well known in the art. Absent a supporting reference, the rejection should be withdrawn. Should the Examiner apply new references, Applicant would request that the finality of the Office Action should be withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Amendment under 37 C.F.R. § 1.111
U.S. Serial No. 09/773,729

Attorney Docket No.: Q63000

Applicant herewith petitions the Director of the USPTO to extend the time for reply to the above-identified Office Action for an appropriate length of time if necessary. Unless a check is attached, any fee due under 37 U.S.C. § 1.17(a) is being paid via the USPTO Electronic Filing System (EFS). The USPTO is also directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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